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FROMMER LAWRENCE & HAUG LLP745 Fifth Avenue
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Telephone: (212) 588-0800
Facsimile: (212) 588-0500**FACSIMILE COVER LETTER**

To: USPTO – TECH CENTER 2651
ATTENTION: **EXAMINER:** T. Tran (THANG V. TRAN)
Facsimile No.: (703)872-9306

From: Laila Korde
Date: December 17, 2004
Re: **U.S. SERIAL NO. 09/814,379**
Our Ref.: 450100-03073

No. of Pages: 8
(including cover page)

Dear Examiner Tran: Per my telephone conversation with you this morning, a Petition to Withdraw from Issue in favor of RCE is being filed today via express mail (due to numerous references cited in the IDS). However, I am faxing a courtesy copy of the Petition, the RCE and the IDS to you. PLEASE REQUEST THE RETURN OF FILE TO YOU FROM THE PUBLICATIONS BRANCH so that this application on which Issue Fee has already been paid, does not issue prior to the consideration of the Petition.

Thank you for your cooperation in this matter.


Laila Korde

If you do not receive all pages or are unable to read the transmission,
please call and ask for Laila Korde at 212-863-2011

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CONFIDENTIALITY NOTICE

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PATENT
450100-03073**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s) : Masayuki HATTORI et al. Issue Fee Paid: 10/15/04
Serial No. : 09/814,379 Confirmation No. 3859
For : **METHOD AND APPARATUS FOR REPRODUCING
DATA AND METHOD AND APPARATUS FOR
RECORDING AND/OR REPRODUCING DATA**
Filed : March 21, 2001
Examiner : T. Tran
Art Unit : 2653

Express Mail No. EV206803213USDate of Deposit: December 17, 2004

I hereby certify that this paper or fee is being
deposited with the U.S. Postal Service "Express
Mail Post Office to Addressee" Service under
37 CFR 1.10 on the date indicated above and is
addressed to Petitions Office, Commissioner for
Patents, P.O. Box 1450, Alexandria, VA 22313, 1450

Barnet Shindlman
Name of person mailing paper or fee

[Signature]
Signature of person mailing paper or fee

745 Fifth Avenue
New York, NY 10151

PETITION TO WITHDRAW FROM ISSUANCE UNDER 37 C.F.R. §1.313(C)
IN FAVOR OF CONSIDERATION OF A REQUEST FOR CONTINUED
EXAMINATION

Mail Stop Petitions
Attention: SPE – William Korzuch
Art Unit 2653
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir :

It is respectfully requested that the application be withdrawn from issuance pursuant to
37 C.F.R. §1.313(c)(2), in favor of consideration of a Request for Continued Examination.

PATENT
450100-03073

This RCE is being filed for the purpose of submitting an Information Disclosure Statement.

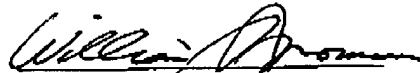
Authorization is given to charge the fee set forth under 37 C.F.R. §1.17(i) for consideration of the petition, in the amount of \$130.00 and charge any additional fee occasioned by this paper, to Deposit Account No. 50-0320.

A courtesy copy of this Petition, the RCE and the IDS (without the References cited in the IDS) are being sent via facsimile to Examiner T. Tran.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP

By:



William S. Frommer
Reg. No. 25,506
(212) 588-0800

WSF:lk